

Arbitration 481/2025.

Ramesh Kumar Aggarwal Vs. Soni Infratech Pvt. Ltd.

13.08.2025

Fresh petition u/S 9 of Arbitration and Conciliation Act received by assignment.

It be checked and registered.

Present : Mr. Piyush Chhabra, Mr. Anand Beniwal & Ms.
Riya Srivastava, Ld. Counsels for the petitioner.

Fresh petition u/S 9 of Arbitration and Conciliation Act is filed alongwith the application for urgent hearing. It is submitted by ld. Counsel for petitioner that one residential unit No. T-7 0504 in ORION Galaxy at Sector 68, Gurgaon was bought by one Rajiv Soni who later sold the same to late father of the applicant Mr. Chandrabhan. It is further stated that after passing of Mr. Chandrabhan, the unit was transferred in the name of the applicant through Will. It is further stated that respondent No.1 is the private Limited Company operated within the Real Estate and Infrastructure Development Sector and the respondent No.2 to 7 are the officials of respondent No.1. It is further stated that in the year 2010 one Rajiv Soni was induced by the respondents to book the above mentioned unit. However, despite receiving the substantial amount out of the total payable amount, the respondent miserably failed to complete the same. It is further stated that insolvency proceedings was initiated against the respondent company and consequently Interim Resolution Professional (IRP) was appointed vide order dated 22.11.2019 passed by Hon'ble NCLT. It is further stated that appeal was

preferred against the order of NCLT however Hon'ble NCLAT was also not inclined to pass any order in favour of the respondents and subsequently the matter reached before the Hon'ble Supreme Court wherein upon the undertaking of respondent No.2, respondents were granted 6 to 15 months time to complete the project. However, respondents failed to abide by the same and contempt proceedings were initiated against respondent No.1 & 2. It is further submitted that now respondent unexpectedly issued demand letter on 14.10.2024 in the name of applicant calling upon him to pay an amount to the tune of Rs.30,79,706/- which is unreasonable and arbitrarily. It is further stated that on 07.10.2025, applicant received letter from the respondent wherein it is mentioned that last and final opportunity is being given to deposit the above-mentioned amount within 7 days failing which the allotment of the above mentioned unit shall stand automatically terminated/cancelled without any further notice. Id. Counsel plaintiff stated that all these tactics are being adopted by the respondent to harass the innocent buyers and urgent interim relief is required to restrain the respondent from transferring or creating any third party interest in the above mentioned unit.

Submissions of Id. Counsel for petitioner heard.
Record perused.

Considering the submission of Id. Counsel for petitioner, this court is of considered opinion that petitioner shall suffer irreparable loss in case exparte ad-interim order is not passed. Hence, parties are directed to maintain the status quo qua the residential unit No. T-7 0504 in ORION Galaxy at Sector 68, Gurgaon.

Notice of the present petition be issued to the respondents on filing of PF & RC / AD as well as through all electronic modes returnable for 20.09.2025. Counsel is also directed to file a copy of registered AD alongwith tracking record of summons and file a compliance affidavit on or before next date of hearing. Copy of order be given dasti.

(Meenu Kaushik)
District Judge-03
Patiala House Courts, New Delhi
13.08.2025